

App. No. 09/503,215
Amendment dated April 1, 2004
Reply to Office action of January 16, 2004

REMARKS/ARGUMENTS

Claims 1-26, 28-33, 36 and 41-47 are pending in the application. The Office Action mailed on January 16, 2004 rejected Claims 1-26, 28-33, 36 and 41-47 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1-2, 4-16, 18-20, 28-33, 36 and 41-47 are rejected under 35 U.S.C. 102(b). Claims 3, 17 and 21-26 are rejected under 35 U.S.C. 103(a).

Claims 1, 15, 21, 23, 28-31, 36 and 41 have been amended to overcome the 102, 103, and 112 rejections presented in the Office Action. No new matter has been added to the application. Applicants respectfully request reconsideration of the rejections in view of the following remarks.

Claims 1-2, 4-16, 18-20, 28-33, 36, and 41-47 are rejected under 35 U.S.C. 102(b) as being anticipated by *Fortin* (U.S. Patent No. 5,528,753). Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Fortin*. Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Fortin*, and further in view of *Peek* (U.S. Patent No. 5,481,706). Applicants respectfully disagree.

The Office Action rejected independent Claim 1 by citing a procedure described in *Fortin* for monitoring a routine. Claim 1, as amended, teaches "modifying an executable file to invoke a user-supplied function in place of an original function, the user-supplied function enabling fault simulation code to control execution of the original function..." The method taught by Claim 1 is significantly different from the procedure in *Fortin* cited by the Office Action.

The procedure in *Fortin* is directed to the sequential execution of a target routine, an entry routine, and an exit routine when the target routine is called such that the entry and exit routines collect information about the target routine. *Fortin* does not disclose anything about a "user-supplied function enabling fault simulation code to control execution of the original function" as recited in Applicants' amended Claim 1. Applicants respectfully submit that the rejection of Claim 1 is overcome and request that the rejection be withdrawn.

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Claims 15, 21, 23, 28-31, 36 and 41, as amended, include limitations substantially similar (albeit different in other important ways) to the limitations claimed in the currently amended Claim 1. As discussed above, Claim 1 is allowable. Thus, Claims 15, 21, 23, 28-31, 36 and 41 are allowable for at least the same reasons that Claim 1 is allowable, and notice to that effect is solicited. Furthermore, dependent Claims 2-14, 16-20, 22, 24-26, 32, 33 and 42-47 are allowable for at least the same reasons that the base claims on which they rely are allowable, and notice to that effect is solicited.

CONCLUSION

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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